

Fair to-day and probably to-morrow; rising temperature to-morrow.  
Highest temperature yesterday, 64; lowest, 51.  
Detailed weather reports will be found on Editorial page.

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NEW YORK, TUESDAY, MAY 17, 1921.

ENTERED AS SECOND CLASS MATTER, POST OFFICE, NEW YORK, N. Y.

PRICE TWO CENTS

THREE CENTS WITHIN THE COUNTRY, FOUR CENTS ELSEWHERE.

## 18TH AMENDMENT IS HELD IMMUNE FROM ATTACKS IN COURTS

Supreme Tribunal Upholds Manner in Which Ratification Was Made

### U. S. WINS TAX CASES

Property Increases and Natural Resources Are Held as Income.

### BARS CITY IN GAS FIGHT

N. Y. Cannot Intervene in Suit of Brooklyn Co. Against 80 Cent Statute.

Special Dispatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 16.

Decisions of far reaching importance announced by the United States Supreme Court to-day were:

President Harding's proposal, while a Senator, that States must ratify the prohibition amendment within seven years does not invalidate it. This makes the amendment immune from future legal attacks, as all its sections have been specifically upheld.

Hundreds of millions will be kept in the Treasury by the Government winning two big tax cases. The increased value of property or natural resources held by corporations, even though held as invested capital, is income and therefore taxable. The Federal inheritance tax was upheld and the refusal of the Government to allow deductions for State tax payments of a similar nature approved.

The city of New York was denied the right to intervene in the suit of the Brooklyn Union Gas Company against the 80 cent gas statute of the State.

The Federal Reserve system must cease its alleged efforts to compel small State and nonmember banks to pay checks without deduction for exchange.

Bribery of railroad employees during governmental operation of the railroad does not come within the law prohibiting bribes to Government officers.

Fines totaling \$37,000 against several Baltimore men on charges of conspiring to violate the prohibition laws were upheld. These are the largest dry law fines to date.

### Dry Law Immune From Further Attack.

Special Dispatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 16.

The United States Supreme Court to-day made the prohibition amendment to the Constitution immune from future legal attacks.

By unanimous decision it declared that section 3 of the amendment, requiring that it must be ratified within seven years after its submission by Congress does not invalidate it, as was set forth by attorneys for the liquor interests. The section originally was proposed by President Harding while a Senator and caused a sharp debate in the Senate as to its constitutionality.

The entire amendment now has been specifically approved by the court. Sections 1 and 2 were held valid last June, but no mention of section 3 was made at that time, the date by taking into account the date of the decision, but to-day's decision completely banishes their hopes.

The court also set at rest all doubts on when the amendment and that part of the Volstead law enforcing it became effective. It emphatically named January 18, 1920, as the date by taking into account the date of the decision, but to-day's decision completely banishes their hopes.

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## Army of 175,000 Favored by Senate Committee

Special Dispatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 16.

AN army of 175,000 is favored by the Senate Military Affairs Committee, and the army appropriation bill carrying about \$339,000,000, including the increase of 150,000, is to be favorably reported to the Senate to-morrow. Details of the bill are being whipped into shape for action by the full committee to-morrow. It is expected that Senators Lenroot (Wis.), Capper (Kan.), Republicans, and McKellar (Tenn.), Democrats, on the committee will oppose the Senate increase in personnel and may join in a minority report. In any event the fight will be carried to the Senate floor and will be taken up after the naval bill is completed.

## CHIEF JUSTICE WHITE SERIOUSLY ILL; IS 75

Alarm Felt for Aged Jurist in Hospital Following an Operation.

### LONG PAST RETIREMENT

Surgeons Previously Advised Operating, but He Felt His Duties Prevented.

Special Dispatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 16.

Edward Douglas White, the venerable Chief Justice of the United States, has undergone an operation in a hospital here, it became known to-day when he failed to appear on the Supreme Court bench.

Because of his age, his condition is admittedly serious, although the operation is classed as minor. To-night it was stated that he rested comfortably during the day and showed improvement. The crisis, however, in his convalescence has not been passed, although his chances for recovery are said to be good.

The Chief Justice is in his 76th year, more than five years past the retirement age for Supreme Court Justices. Physicians advised long ago that the operation be performed, but the Chief Justice insisted that his duties were so heavy that he could not retire or be absent for a long time from the court. All the arguments for this session were completed two weeks ago and then he decided to submit to the operation.

Close friends of the Chief Justice have indicated that his insistence on remaining on the court bench long after the retirement age was due to his desire to have his successor named by the incoming Administration.

Mr. White, it was learned to-day, entered Garfield Hospital here last Wednesday night. The operation was performed by Dr. Francis R. Hagner on Thursday night.

The health of the Chief Justice has not been good during this term of court. It had been feared it would be necessary to perform an operation to remove a cataract on his eye, but during the last few months no greater impairment of his sight has been noted. His hearing has been poor for several years.

The present illness of the Chief Justice is believed to presage his early retirement from the court. He has served on the court for more than twenty-seven years, or since March 12, 1894, and has been Chief Justice since his appointment by President Taft on December 19, 1910. He is a Confederate veteran. It was while serving as a Democratic Senator from Louisiana that he was appointed to the court by Grover Cleveland.

### MACHINE GUNS FIRED ON REDS IN CREMONA

Casualties Are Reported in Communist Rising.

LONDON, May 16.—A Communist rising has occurred at Cremona, Italy, according to a Milan dispatch to the London Times.

Troops have been called out and have employed machine guns against the insurgents. Numerous casualties are reported.

### BRITAIN MAKES SECOND SILVER DEBT PAYMENT

\$17,080,000 Received on Total of \$122,000,000.

Special Dispatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 16.

The Treasury received to-day a payment of \$17,080,000 from the British Government as the second installment of the general funding operation for payment of the British silver debt. Of the total payment \$12,200,000 represented principal and \$4,880,000 interest.

Under the funding arrangement agreed to the total debt of \$122,000,000, the value of silver melted and turned over to Great Britain to stabilize exchange and the silver market in India and the Orient during the war, is to be paid back in four annual installments, the payments to be split between April 15 and May 15.

### WOOD REACHES BAGUIO.

BAGUIO, P. I., May 16.—After two days of motoring in Luzon, where dozens of interviews were held with private citizens, Major Gen. Leonard Wood and W. Cameron Forbes, comprising President Harding's special mission to investigate Philippine conditions, returned to BaguiO last night.

HARTSHORN, FALES & CO., Members New York Stock Exchange, 71 Broadway, Adm.

## L. W. W. DOWDLES TO FEW THOUSAND COWED AGITATORS

Convention Reveals That Mere Shell of Terrorist Organization Remains.

### BRAINS ALL IN PRISON

Flight of 'Big Bill' Haywood to Russia Proves Crushing Blow.

### ONCE HAD 60,000 MEN

Delegates a Meek Lot, Who Raise \$9.80 for the 'Cause of Labor.'

Special Dispatch to THE NEW YORK HERALD.  
Chicago, May 16.—Instead of being the grim, brooding power pictured in popular imagination, the Industrial Workers of the World is a body of a few thousand daunted members. The I. W. W. not only is weak in membership, but it also possesses no financial resources. No further effort will be made by it to carry forward any consistent assault on capital.

These significant facts were revealed at the thirteenth annual convention of the I. W. W. now in progress here. The organization which a few years ago declared its mission to be the overthrow of capitalism has failed utterly in its efforts to attach to itself permanently a large representation of American workers. The membership in good standing to-day throughout the entire country of the combined locals and chapters is scarcely 12,000.

The vital feature of this year's convention is the remarkable change of front on the part of the thirty-five delegates present. Passivity rules to-day where ferocity triumphed in years gone by.

The election of Big Bill Haywood, former secretary of the organization, in jumping his \$15,000 bail bond and fleeing to Russia was responsible for the loss of several thousand members from the ranks.

### Brains Now in Prison.

The banner year of the I. W. W. was in 1916. The paid membership at that time was in excess of 60,000. It was divided as follows: Harvest workers in the Northwest, 8,000; metal and mine workers of the far Western States, 25,000; coal miners in Pennsylvania, Illinois and other coal producing States, 5,000; lumberjacks, 5,000; general construction workers in the middle Western States, 6,000; 15,000 members were scattered throughout the country who enrolled as workers.

Thomas Conners, a delegate representing the agricultural workers' branch of North Dakota, when asked for an explanation in regard to the wholesale thinning of the ranks of the I. W. W., replied:

"There is only one answer—the brains of the I. W. W. is in Leavenworth and there isn't a big Russian organizer or speaker in America to-day; they are all back in Russia," declared Conners. "I remember one convention we held in Chicago when we had over 400 delegates present. To-day we have only thirty-five in attendance, and these thirty-five only represent 1,000 members."

"What seems to be the trouble with the movement?"

"There's a lot of contributory causes," answered Conners with disgust. "To-day every State in the Union has its own criminal anarchy act excepting Nevada. The Red Card carrier is afraid to take a chance any more when it comes right down to putting anything over with force. I don't think there is a delegate present here to-day who would take a chance of getting out on the sidewalks in Chicago and yelling out 'I will get the police'."

### Not a Fighter Left.

Conners explained that the solicitation of a \$1,000,000 defense fund for the recently convicted I. W. W. leaders was responsible for at least 15,000 members dropping out of the body.

"General Secretary Roy Brown told me yesterday that almost 50 per cent of our membership were behind in their dues," said Conners. "We have just discovered that a large majority of our dues-paying members have joined the American Federation of Labor. If we only had our leaders back from Leavenworth we could stop this, but we haven't got a fighter in our ranks to-day."

Sergeant Lawrence McDonough, leader of the Chicago police anarchist squad, said: "The I. W. W. is no longer a menace; it is not even a nuisance. They are through. The movement is dead in Chicago. The big May Day parade this year was a joke. Only about 400 turned out to parade, and two-thirds of the parade was sympathizers of the cause. The big meeting at the Coliseum which attracted the parade was a fraud, only 400 paid admissions and the rest of the parade was a bunch of loafers. The rent of the Coliseum was \$1,000, and the I. W. W. management were \$500 shy on the rent when the meeting was adjourned. A year ago the May Day parade had up to 5,000 marchers and the Coliseum was jammed to the doors."

"The May Day parade this year was the first parade in which the I. W. W. carried an American flag," continued Sergeant McDonough. "The convention this year reminds you of a lot of boiled fish. Some one started the story that 'Big Bill' Haywood had gone South with \$35,000. It was all Chairman Brown come to stop the delegate from stampeding. The organization is dead in Chicago, and this is the largest industrial city in America."

As an illustration of how the I. W. W. movement has vanished into oblivion in Chicago, it was all Chairman Brown come to stop the delegate from stampeding. The organization is dead in Chicago, and this is the largest industrial city in America.

Continued on Third Page.

## Airplanes Bring Late Passengers to Ships

Special Cable to THE NEW YORK HERALD.  
Copyright, 1921, by THE NEW YORK HERALD.  
New York Herald Bureau, London, May 16.

AMERICANS homeward bound, but desiring to stay until the very last moment in France, are finding airplanes useful in catching transatlantic steamships. So constant are last hour arrivals at the principal French ports that French airplane companies outside of Paris are now holding three airplanes in reserve daily for delayed American voyagers from Cherbourg and Havre, and are doing a "rushing" business. Just before the Aquitania steamed from Cherbourg, the American Express Company's representative in Paris, accompanied by an American, flew to that port and signalled for a small boat to carry them to the Aquitania. They not only took baggage in the airplane but also several bags of mail for the United States. The cost of hiring an airplane for a journey of three hours is approximately \$300.

## CARPENTIER HERE FIT TO ENTER RING

European Champion Declines to Express Opinion That He Will Beat Dempsey.

### TO TRAIN AT MANHASSET

Rickard Amazed at Frenchman's Condition; Says Odds of 3 to 1 Are Unwarranted.

Georges Carpentier, heavyweight boxing champion of Europe, who is holding the last line of defense in behalf of the Old World's pugilistic prestige, and who will stake all in his combat with Jack Dempsey on the red soil of New Jersey on July 2, made his third entry of the United States yesterday afternoon and received a welcome befitting a courageous invader.

Carpentier, accompanied by his resourceful manager, Francois Descamps, and a retinue of trainers and helpers, reached this port on the French steamship La Savoie of the French Line, and was greeted on the pier by fully 1,000 enthusiasts, including Tex Rickard, promoter of the spectacular international battle; Jack Curley, who piloted the French champion in a stage venture on his first visit to this country, and Capt. J. H. Mallet, a warm personal friend of the champion.

The French boxer, brown skinned and vigorous looking, as a result of daily exercise on the pier of Upper Silesia, was in excellent condition, and the voyage across the ocean, was piloted through the big crowd by Tex Rickard to a waiting automobile, and with the promoter and Capt. Mallet was whisked away to the Ritz-Carlton for lunch.

Manager Descamps, with Paul Journee, the big blond heavyweight who will be Carpentier's chief of sparring staff; Henri Marcot, chief and middleweight boxer, and Flip, the Belgian war dog that the boxer has had for six years, brought up the rear of the procession.

Jack Curley carried Descamps away in his car to the Claridge, where they arranged terms for a tour of America, the event that the Frenchman wins his bout on July 2.

Later Descamps joined Carpentier at the Ritz-Carlton and after lunch the boxer went to the home of Capt. Mallet to remain over night, while Descamps went to Manhattan to get the training quarters in readiness for Carpentier, who will reach there to-day.

### Does Not Claim He Will Win.

With Capt. Mallet acting as interpreter several questions were put to Carpentier in the Ritz-Carlton and his answer to the first one showed plainly that he declines to be put on record with a prediction that he will win the big fight. "I would prefer to leave that question to be answered by the result of the contest on July 2," was his reply. In response to other queries Carpentier said he weighed 175 pounds and expected to scale about 170 pounds, which was his customary fighting weight.

He declared he would not begin active training for a week or two days, as he desired to get rid of his sea legs before doing even light work.

The champion said he had an excellent voyage, not being sick for a minute, and that he was able to exercise every morning, putting in an hour's work, shadow boxing, running and sparring with Journee.

He said he never felt better in his life and if he was beaten it would not be because of lack of condition on his part. Descamps, the energetic manager of Carpentier, was more outspoken than his charge.

"Georges will win," said Descamps, "but it would be foolish to say in what round, or how many rounds the contest will last. You do not think I would have made the match if I did not think Carpentier had a chance to win."

When informed that Dempsey weighed 200 pounds at the present time and would enter the ring at about 190, Descamps ejaculated "Ooooh," and then added: "Seventeen or eighteen pounds handicap for Georges."

Then, with a shrug of his shoulders: "Let it be nothing."

Descamps said he expected Carpentier to enter the ring at 175 and declared the French champion would be in first class condition.

All he needs is three weeks of work.

## LOYD GEORGE HAS MADE NO PROMISE TO HELP GERMANY

Never Hinted at Great Britain Taking Initiative in Upper Silesia.

### STEP TO PACIFY BRIAND

Foreign Office Uses Holiday to Clear Up Misunderstanding With Paris.

### LOOKS FOR AMERICAN AID

Hopes United States Will Add Harmonious Note to Supreme Council.

Special Cable to THE NEW YORK HERALD.  
Copyright, 1921, by THE NEW YORK HERALD.  
New York Herald Bureau, London, May 16.

The attitude of the French regarding the Upper Silesian situation and their resentment at Lloyd George's declarations in his speech last week when he said the Allies should make Poland observe the treaty of Versailles or permit the Germans to act in the Upper Silesian embroglio, is causing the Premier considerable uneasiness, owing to the apparent misunderstanding existing.

The Prime Minister and other high Government officials passed Whitehall in the country, but Lloyd George kept in close touch with Downing Street by telephone, and the Foreign Office had frequent communications with Paris, to whom it was suggested that the Premier's speech had been misunderstood. It was impressed upon Mr. Briand that Mr. Lloyd George never hinted at Great Britain taking the initiative in connection with the Upper Silesian situation and that no promises or agreements had been made with Germany.

It has been suggested that the best means of removing all doubts regarding the relations between England and France on a subject which vitally concerns both would be direct conversations, by a meeting of the allied Supreme Council to follow at the earliest possible moment. It will be held at Premier Briand's convenience and probably at Boulogne, but not until next week, following the impending debate in the French Chamber of Deputies on the result of the vote of confidence Mr. Briand will ask.

### Americans as Peace Maker.

British opinion is looking to America to add a harmonious note to the Supreme Council meeting. There is a feeling of assurance in the confusion now prevailing in the fact that an American representative will sit in the council and they hope the American influence, so long lacking, will now be of great assistance in restoring harmony. Alarmist reports from the Continent are generally discredited on this side the Channel. Foreign Office officials think the perturbation in French official circles is unjustified. It is said here that the relations between the two allies—England and France—were not impaired; that there is no question of "strangles" between the two Governments, but it was in fact these differences amounted to nothing more than varied treaty interpretations. It was said that the treaty was not satisfactory to the Germans on the point of Upper Silesia. Its future was to be settled according to the wishes of the people, but both "communes" and "population areas" were mentioned in the treaty. The British are inclined to accept the world "population" and the French think "communes" is meant.

The Germans have drawn their map of Upper Silesia according to the vote of the population, while the Poles have drawn their map according to the wishes of the communes. Naturally the maps differ greatly, and correspondingly the British and French viewpoints differ, but it appears now, according to officials, to be clearly a case of faulty treaty wording.

### Entente Harmony Disturbed.

While certain persons in diplomatic circles here pretend to believe that the Prime Minister's outspoken words will have the effect of clearing the air between the two official circles, fall to take the same view. The Paris correspondent of the Daily Express says: "Anglo-French relations are worse than they have ever been since the black days of Fashoda."

There is a decided tension in the atmosphere, which indicates a week pregnant with possibilities. Cable dispatches quoting from THE NEW YORK HERALD's Washington reports to the effect that diplomatic circles in Washington were inclined to admit the justice of Premier Lloyd George's policy were widely quoted here and unquestionably were a source of comfort. Officials guardedly admit the Allies need America as never before.

By the Associated Press.

LONDON, May 16.—The view held in London of the coming conference of the Premier over Silesia is that the delay will serve a useful purpose in allaying the tension.

Continued on Second Page.

## 33 KILLED IN TWO DAYS AS IRISH VIOLENCE INCREASES; WOMAN SLAIN IN AMBUSH

Absolute Freedom for Irish Must Precede Peace Parley, De Valera's Defi to Premier

No Discussion, No Compromise, Until Right of Ireland to Nationhood Is Recognized by England, Is His Ultimatum to Lloyd George.

Special Cable to THE NEW YORK HERALD.  
Copyright, 1921, by THE NEW YORK HERALD.  
New York Herald Bureau, Dublin, May 16.

DUBLIN, May 16.—Great Britain's unwillingness to admit Ireland's nationhood still stands in the way of negotiations of peace with the Eborac Isle, the NEW YORK HERALD's correspondent was told by President De Valera of the "Irish Republic." In an interview given in a half darkened room in a house on the outskirts of Dublin he insisted that there is no possibility of a compromise on the vital principle for which Irish men and women have given their lives, property and happiness during the last two years.

So that his position should be made clear in connection with recent statements made by Lloyd George as to the possibility of British and Irish spokesmen getting together on a plan for a settlement of the Irish problem, a number of questions were put to De Valera. His replies and a synopsis of the British Premier's position regarding such a conference follow:

Mr. Lloyd George said: "I will meet Mr. De Valera or any Irish leaders without condition on my part or without exacting any promises from them. It is the only way a conclusion can be reached. Such a conference will lead to an exchange of opinions, out of which we may find a common ground upon which we can refer our differences to our respective peoples for settlement."

Mr. De Valera replied: "If Mr. Lloyd George makes this statement in public I give him a public reply. The fundamental question at issue between the two countries is the question of Ireland's right to choose freely and independently her own government and political institutions at home and her relationships with foreign nations as well. This independent right may as well be acknowledged first as last, for never can there be a settlement as long as it is denied. Any particular proposition put forward by Great Britain affecting the welfare of the peoples of the two islands will then be a fit subject for consideration and discussion between representatives of our respective peoples. We have never denied that we have certain interests in common, but we must be free and independent judges of what our own interests are, and not compelled simply by Britain's superior brute force to enter into engagements which we may deem detrimental to us."

## U. S. STEEL WORKERS ACCEPT CUT IN PAY

50,000 Employees Report at Plants in Pittsburgh Without Complaint.

DECREASE IS \$35,000,000

Independents Put Reductions in Effect Last Week—Many on Short Time.

Special Dispatch to THE NEW YORK HERALD.  
Pittsburgh, May 16.—Between 45,000 and 50,000 steel workers of the United States Steel Corporation, representing the present working capacity of the corporation mills in this district, reported to-day at the plants to begin work under a 20 per cent reduction in wages, without complaint.

As a matter of fact, the employees of the different corporation plants in this district are content to find employment without airing any grievance against lowered wages.

The cut will top off about \$35,000,000 from the annual payroll of the corporation in the Pittsburgh district. Independent steel operators in this district put their reduced wage scale into effect sometime ago. No trouble was experienced with the employees.

Eight to ten thousand men are affected by the reduction in the Carnegie Steel Company's plants at Homestead and Duquesne; 9,000 at the Edgar Thomson Works in Braddock and Bessemer, and at the upper, lower, Union, McKintock and Lacy mills and at furnaces in the Lawrenceville district more than 5,000 men accepted the lowered wages without a murmur.

The Isabella furnaces in Elms closed last week, throwing 1,000 out of work. At the Carnegie Steel Company's plant in New Castle, the Ohio Works, in Youngstown, and the Farrell Works more than 15,000 men are affected. Many of the mills and furnaces of these plants have been working on short time for several months. From Youngstown and Farrell work reached here to-day that the men affected by the new scale feel that they have not been given a fair deal by the corporation.

Other plants of the steel corporation where the reduced scale was put into effect are: McKeesport plant of the National Tube Company, 6,000; Pittsburgh plants of the same company, 4,000; American Bridge Company, Ambridge, 4,000; American Steel and Wire Company plants, Donora, 5,000; Rankin, 2,500; Schenck Works, Pittsburgh, 1,500; Parrell, 1,500; American Sheet and Tin Plate Company, Farrell, 2,000; Vandergrift, 1,200; Martins Ferry, Ohio, 1,600; New Castle, 1,500; National Tube Company, Benwood, W. Va., 1,000; Torsine Steel Company, Johnstown, 2,500; Carnegie Steel Company, Belleair, Ohio, 1,200. Many of these plants are working only three days a week.

### LOST FISHERMEN RETURN.

YARMOUTH, N. S., May 16.—Four fishermen, who, while working in their dories, became separated from their schooner in Saturday's dense fog, landed here to-day after reaching the Lurcher Lightship yesterday. Two were Massachusetts men—George Dodman of Somerville and Edward Moulson of Melrose, attached to the Boston schooner Commonwealth.

When out of sight of writing, think of WHITING—Adm.

"Country Boarders Wanted" is one of the most popular classifications in THE HERALD's Want Ad Section. They're the better sort of places—Adm.

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Continued on Second Page.

Masked Men Stop Motor Party of Five, Including Two British Cavalry Officers.

### FOUR OF THEM KILLED

Body of Inspector Blake's Wife Found Beside That of Husband and Two Other Victims.

### ATTACK ON CORK PRISON

Bomb Thrown at Military Lorry in Crowded Dublin Street—Constable Slain—Daniel O'Brien Executed.